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November 13, 2019

**BY FACSIMILE:** [REDACTED]

Hon. Kenneth M. Karas  
United States District Court Judge  
Southern District of New York  
The Hon. Charles L. Brieant Jr.  
Federal Building and Courthouse  
300 Quarropas Street  
White Plains, New York 10601-4150

Re: *United States v. Nicholas Tartaglione*, Docket No. S4 16 Cr. 832 (KMK)

Dear Judge Karas:

At some point in this case, individuals will be held accountable for their statements made and actions taken in connection with the representation of Nicholas Tartaglione. There is “no back and forth.” Michael Bachrach and other counsel find themselves compelled to write to the court,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A request for continuance was made to set the trial date and for a penalty phase motion scheduled because one is required, despite the good faith effort by many of us to comply with schedule set by the court. If there was a defense agreement, naturally we would have simply filed, as all the work and preparation needed to reach that point has already been done. All the rest of what is being presented is [REDACTED]

[REDACTED]

At this juncture, it is requested on behalf of Nicholas Tartaglione that the request for a continuance is granted *sine die*, that, under the circumstances of this case, that the court designate this death authorized case complex, if not already done so, pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii), and that we move forward toward the *Curcio* inquiry in this case - [REDACTED]

[REDACTED]

Finally, we respectfully request that this application and the related proceedings that follow be held *ex parte* and under seal to avoid revealing information that could adversely impact the defendant and prejudice his penalty phase investigation and presentation.<sup>1</sup>

Respectfully submitted,

*Anthony L Ricco*

Anthony L. Ricco, Esq.

cc: A.U.S.A. Maurene Comey (Redacted)  
A.U.S.A. Jason Swergold

All defense counsel.

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<sup>1</sup> [REDACTED]